

Mr. Derrick Lee Cardello-Smith
#267009
Ionia Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

March 7, 2024

Office of the Clerk
US District Court
399 Federal Building
110 Michigan Street, NW
Grand Rapids, MI 49503

Re: Derrick Lee Cardello-Smith v. Probable Cause Conference Director
Case No 1:21-cv-794

Dear Clerk:

Enclosed for filing in the above cause documents for the article 3 Court Submission of the Lower Courts Order a Summary Disposition.

Please process this matter and notify me when it has been processed.

Sincerely yours,


Derrick Lee Cardello-Smith

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March 11, 2024 2:04 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: KB SCANNED BY: JW 3-11

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**DERRICK LEE CARDELLO-SMITH,
24,000 SIMILARLY SITUATED PRISONERS,**
Petitioner,

VS

**CASE NO 1:21-CV-00794
HONORABLE SALLY J. BERENS
US MAGISTRATE JUDGE**

PROBABLE CAUSE CONFERENCE DIRECTOR,
Respondents,
_____ /

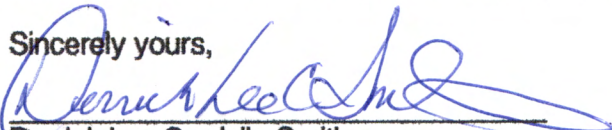
**ARTICLE 3 COURT DOCUMENT SUBMISSION
OF LOWER TRIAL COURT AMENDED SEALED
ORDER GRANTING SUMMARY DISPOSITION
AND DISMISSAL WITHOUT PREJUDICE FOR
36TH DISTRICT COURT PRESENTATION AND
PROBABLE CAUSE CONFERENCE REMAND HEARINGS**

Petitioner submits the enclosed documents for the Article Court of the Lower Courts Amended Sealed Hearings Process and Summoary Disposition.

Please place these matters on the Court record.

Sincerely yours,

3/7/24



Derrick Lee Cardello-Smith
#267009
ICF-1576 W. Bluewater Highway
Ionia, MI 48846

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

DERRICK LEE CARDELLO-SMITH,

Plaintiff,

Case No. 22-009954-CZ
Hon: Charles S. Hegarty

V

**CATHY M. GARRETT, DEVANA UNIS
KYM L. WORTHY, PROBABLE CAUSE DIRECTOR,**

Defendants.

Derrick Lee Cardello-Smith #267009
Pro Se - For 24,000 (Similarly Situated)
Ionia Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

[REDACTED]
Executive

[REDACTED]
500 Griswold St., Floor 30
Detroit, MI 48226
[REDACTED]

Attorney for Defendants

AMENDED SEALED

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY DISPOSITION

At session of said Court, held in
Detroit, Michigan, County of Wayne, State of Michigan on: **2/13/2024**

JUDGE CHARLES S. HEGARTY

Plaintiff and Defendants' Counsel having appeared on Wednesday, February 7, 2024 for a hearing on Defendants' Motion for Summary Disposition pursuant to MCR 2.116 (7) & (8) regarding Plaintiff's January 4, 2022 Complaint. The Court having considered the papers filed

the arguments of both parties, and for the reasons stated on the record by the court, it is hereby ordered:

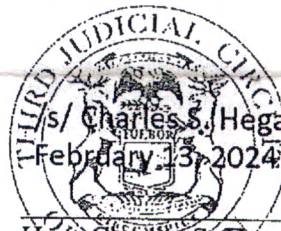
- I. Defendants' Motion for Summary Disposition is Granted as to Defendant Garrett pursuant to MCR 2.116 (C)(7) & (8). Plaintiff's Complaint against Defendant Garrett is dismissed with prejudice.
- II. Defendants' Motion for Summary Disposition is Granted as to Defendant Unis pursuant to MCR 2.116 (C)(8). Plaintiff Cardello-Smith's individual wrongful conviction compensation claim proceeds in People v Derrick Lee Cardello-Smith, Case 2008-008639-01- FC is voluntarily transferred to Habeas Prisoners upon hearing determinations for parties with Cardello-Smith as primary and 'Sole Filer' for similarly situated persons without surety/cash or personal recognizance as stipulated in the November Order of 2021, Plaintiff individual capacity claim against Defendant Unis is Dismissed with Prejudice.
- III. Defendants' Motion for Summary Disposition is Granted as to Defendant Worthy pursuant to MCR 2.116 (C)(8) Plaintiff's Complaint against Defendant Worthy is dismissed with prejudice, except as to the remand hearings for Plaintiff and 83 County Prosecutor Probable Cause Habeas Corpus Agreement with Plaintiff as 'Sole Filer' on 24,000 similarly situated Plaintiffs.
- IV. Defendants' Motion for Summary Disposition is Granted as to Defendant Probable Cause Conference Director pursuant to MCR 2.116 (C)(7) & (8). Plaintiffs Complaint against Defendant Probable Cause Conference Director is dismissed with prejudice, except as to 83 County and District Court Probable Cause Conference Directors and Administrators per agreement of Cardello-Smith v Wayne County

Circuit Court Judge and Article 3 Count Agreement with 'Sole Filer' Cardello-Smith
On 24,000 similarly situated Civil Habeas Prisoners.

V. As to the similarly situated prisoners Defendants Motion for Summary Disposition
is denied, claim is dismissed without prejudice. Cardello-Smith is 'Sole Filer' for
purposes of Subject-Matter and Personal-Matter Jurisdiction, 24,000 Similarly
Situated per 181 Closed Session Poly-Com, Zoom, Teleconferences pursuant to
Article 3 Agreement of 11/18/2021, with 83 county prosecutors. No individual
Habeas Petitions allowed, procedurally barred, and scheduling details will be
implemented by Sole Filer, Cardello-Smith and selected prosecutors for in-custody
Habeas filings under MCR 3.303, MCR 3.304, MCR 6.108(A)(B)(C)(D)(E) from
January 1, 1971 through January 1, 2015. Case is transferred to the 36th District Court,
Detroit and extending to Michigan jurisdictions per Sealed Agreements.

This is a final Order and closes the case.

SO ORDERED.



s/ Charles S. Hegarty
February 13, 2024
Hon. Charles S. Hegarty
CIRCUIT COURT JUDGE

NAME: _____
Number: _____
Address: _____
Address: Mr. Derrick Lee Cardello-Smith
 #267009
 Ionia Correctional Facility
 1576 W. Bluewater Highway
 Ionia, MI 48846

Mailed on 3/7/24
Case 1:21-cv-00794

GRAND RAPIDS MI 493

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Clerk-US District Court
399 Federal Building
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Grand Rapids, MI 49503

49503-231799

